

Dept. # 85 Assigned CHAUPANT
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Attorney for Petitioner, HYE KYUNG JOUNG

FILED
Superior Court of California
County of Los Angeles

JUN 20 2018

Sherri R. Carter, Executive Officer, Clerk of Court
By Judi Lara, Deputy
Judi Lara

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

HYE KYUNG JOUNG, an Individual;

Petitioner,

vs.

CITY OF LOS ANGELES, a California Public
Agency; ERIC GARCETTI d/b/a THE
OFFICE OF LOS ANGELES MAYOR ERIC
GARCETTI; and DOES 1 through 50,
inclusive,

Respondents.

Unlimited Civil Case

Case Number: **BS174105**

**PETITION FOR WRIT OF MANDATE
UNDER GOV. CODE § 6250 ET SEQ.
[PUBLIC RECORDS ACT]
682 S. VERMONT**

FILE/CASE: BS174105
LEA/DEF#:

RECEIPT #: CCH520872071
DATE PAID: 06/20/18 11:46 AM
PAYMENT: \$435.00 310
RECEIVED:
CHECK: \$0.00
CASH: \$0.00
CARD: \$0.00
\$435.00

Petitioner HYE KYUNG JOUNG ("Joung" or "Petitioner") alleges as follows:

GENERAL ALLEGATIONS

1. Petitioner is, and at all times mentioned herein was, an individual residing in Los Angeles County, California.
2. Petitioner is, and at all times mentioned herein was, a resident of the City of Los Angeles, residing in City District 10.
3. Petitioner is informed and believes, and based thereon alleges, that the CITY OF LOS ANGELES ("CITY OF L.A.") is, and at all times herein relevant was, a charter city and

1 municipal corporation organized and existing under the laws of the state of California,
2 and operating in the County of Los Angeles, State of California, with its principal place
3 of business located at 200 N. Spring Street, Los Angeles, CA 90012.

4 4. Petitioner is informed and believes, and based thereon alleges, that ERIC GARCETTI
5 d/b/a THE OFFICE OF LOS ANGELES MAYOR ERIC GARCETTI ("GARCETTI'S
6 OFFICE", together with the CITY OF L.A. "Respondents") is, and at all times relevant
7 herein was, the Mayor of the City of Los Angeles, and in this capacity served as a public
8 agency acting as the governing body of the City of Los Angeles, organized and existing
9 under the laws of the state of California; and operating in the County of Los Angeles,
10 State of California, with its principal place of business located at 200 N. Spring Street,
11 Los Angeles, CA 90012.

12 5. The true names and capacities of Respondents sued herein as DOES 1 through 50 are
13 unknown to Petitioner at this time, and therefore, Petitioner sues said Respondents by
14 such fictitious names. Petitioner will seek leave to amend this complaint to allege their
15 true names and capacities when the same have been ascertained. Petitioner is informed
16 and believes, and based thereon alleges, that each of Respondents designated as a DOE is
17 responsible in some manner for the events alleged herein and the damages caused
18 thereby.

19 6. Petitioner is informed and believes and thereupon alleges that at all times relevant hereto
20 each of Respondents including DOES 1 -50 acted in concert with each other, was the
21 agent, affiliate, officer, director, manager, principal, alter-ego, and/or employee of the
22 remaining Respondents and was at all times acting within the scope of such agency,
23 affiliation, alter-ego relationship and/or employment; and actively participated in or
24 subsequently ratified and adopted, or both, each and all of the acts or conduct alleged,
25 with full knowledge of all the facts and circumstances, including without limitation to full
26 knowledge of each and every wrongful conduct and Petitioner's damages caused
27 therefrom.
28

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**1st CAUSE OF ACTION: IMPROPER WITHHOLDING OF
PUBLIC RECORDS UNDER GOV. CODE § 6250 ET SEQ.**

7. Petitioner repeats and alleges all the allegations stated herein, and incorporates by this reference each and every allegation contained therein as though fully set forth herein.
8. Respondents are required to comply with the California Public Records Act ("CPRA"), Government Code section 6253(b), which states: "Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable."
9. On or about May 9, 2018, Petitioner submitted a request for public records to Respondent GARCETTI'S OFFICE, requesting access to and copies of specified public records under the CPRA, Government Code section 6250, *et seq.* ("Public Records"). Petitioner's request for Public Records identified ten categories of records sought in relation to Respondents' plans to build an emergency homeless shelter at 682 S. Vermont Avenue, Los Angeles, CA 90005 and any other locations in Los Angeles, CA. A true and correct copy of Petitioner's request for Public Records is attached hereto as Exhibit A.
10. On or about May 21, 2018, Respondent GARCETTI'S OFFICE sent Petitioner's counsel a determination letter in response to Petitioner's Public Records request. A true and correct copy of the determination letter from GARCETTI'S OFFICE is attached hereto as Exhibit B.
11. In its determination letter, GARCETTI'S OFFICE stated it would only disclose records responsive to Request No. 2.
12. In response to Requests Nos. 1, 3—6, and 8—10, GARCETTI'S OFFICE instructed Petitioner to "direct [her] request" to other City agencies.
13. In response to Request No. 7, GARCETTI'S OFFICE generally "denie[d] this aspect" of Petitioner's request for Public Records, vaguely alleging that Request No. 7 was "overly broad and calls for the unfocused collection of records," and that "the expenditure of

1 public resources to search for and review records in response to [Request No. 7] would be
2 significant.” In addition, GARCETTI’S OFFICE suggested that Petitioner consider
3 “providing additional clarifying information in order to make a more focused and
4 effective request that reasonably identifies records that are responsive to the purpose of
5 [her] request.”

6 14. On or around June 14, 2018, Petitioner sent a letter to GARCETTI’S OFFICE stating that
7 its determination letter did not conform to the requirements of the CPRA. A true and
8 correct copy of Petitioner’s response is attached hereto as Exhibit C.

9 15. Petitioner renewed her request for documents that were responsive to Request Nos. 1,
10 3—6, and 8—10, or proper written notification that the documents were either
11 unavailable or would not be disclosed.

12 16. Petitioner also requested written justification for the withholding of a response to Request
13 No. 7, as well as specific suggestions for reasonably adjusting the scope of the request,
14 or, if neither could be provided, documents responsive to the request.

15 17. On or around June 18, 2018, GARCETTI’S OFFICE sent its reply to Petitioner’s
16 response letter. A true and correct copy of the reply letter from GARCETTI’S OFFICE is
17 attached hereto as Exhibit D.

18 18. In its reply, GARCETTI’S OFFICE stated that it would provide records responsive to
19 Request Nos. 1, 3, and 4 as part of its disclosures under Request No. 2. However,
20 GARCETTI’S OFFICE refused to provide answers to Request Nos. 5 and 10 on the
21 grounds that “there is no such office as the ‘Los Angeles City Office,’” then
22 recommended that Petitioner “direct [her] inquiry to a specific department, office or
23 agency of the City of Los Angeles.”

24 19. GARCETTI’S OFFICE also alleged that Request No. 7 requested records that were “not
25 reasonably described,” yet failed to provide specific information to assist Petitioner in
26 making a “focused and effective request.”

27 20. Finally, GARCETTI’S OFFICE refused to disclose records in response to Request Nos. 6
28 and 8—10, stating that “[t]o the extent that this Office is able to work with [Petitioner] to
29

clarify and focus request No. 7, any responsive, non-exempt records [responsive to Requests Nos. 6 and 8–10] that are in this Office’s possession will presumably be included in that request.”

21. Respondent GARCETTI’S OFFICE has improperly refused to disclose Public Records to which Petitioner is entitled under the CPRA, Government Code section 6250 *et seq.*

22. Such Public Records which Respondent GARCETTI’S OFFICE has improperly refused to disclose include, but are not limited to, the following documents that were requested by Petitioner in the Public Records request:

“5. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the ‘Emergency Homeless Shelter’ at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures, drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Office and/or any of its staff[], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.”

Documents withheld: GARCETTI’S OFFICE has refused to disclose documents responsive to Request No. 5, stating: “The Office of the Mayor does not possess these documents, as there is no such office as the ‘Los Angeles City Office.’ We recommend that you direct your inquiry to a specific department, office, or agency of the City of Los Angeles.”

CPRA § 6253.1 states: “When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances: (1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated. . . . (3) Provide suggestions

1 for overcoming any practical basis for denying access to the records or
2 information sought.” Cal. Gov’t Code. § 6253.1. The courts have stated that “[a]n
3 agency is obliged to comply [with a public records request] so long as the record
4 can be located with reasonable effort.” *Cnty. Youth Athletic Ctr. v. City of Nat’l*
5 *City*, 220 Cal. App. 4th 1385, 1425. In addition, “[f]eigned confusion based on a
6 literal interpretation of the request is not grounds for denial.” *Id.* (internal citations
7 omitted).

8 In recommending that Petitioner direct her inquiry to “a specific
9 department, office, or agency of the City of Los Angeles,” GARCETTI’S
10 OFFICE has acknowledged that not just one, but many “offices” of the City of
11 Los Angeles exist. If it was not clear which Office of the City of Los Angeles
12 Petitioner was referencing, § 6253.1 required GARCETTI’S OFFICE to assist
13 Petitioner in identifying “information that [is] responsive to the request” or “the
14 purpose of the request,” and to “[p]rovide suggestions for overcoming” the
15 “practical basis” it cited for “denying access to the records or information
16 sought.” Instead, GARCETTI’S OFFICE “feigned confusion” to deny the request
17 and instructed Petitioner to direct her inquiry to other City departments.

18 Petitioner requests that all records responsive to this request be disclosed
19 or that Respondent GARCETTI’S OFFICE state that no other such records exist.
20 If the Court finds that Request No. 5 is unclear, Petitioner requests that this Court
21 order Respondents to assist Petitioner in identifying information that is responsive
22 to this request and provide suggestions for overcoming the practical basis, if any,
23 for denying access to the records.

24
25 “6. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating or
26 pertaining to the ‘Emergency Homeless Shelter’ at any location in Los Angeles, CA,
27 including without limitation to meeting minutes, notes, records, reports, analysis,
28 telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures,

1 drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or
2 received by City Councilman Herb Wesson or anyone in his offices such as staff[],
3 contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.”

4 **Documents withheld:** GARCETTI’S OFFICE refused to disclose records in
5 response to Request No. 6, and hinged any future response to Request No. 6 on
6 Request No. 7, stating: “To the extent that this Office is able to work with
7 [Petitioner] to clarify and focus request No. 7, any responsive, non-exempt
8 records reflecting communications with Councilman Herb Wesson . . . or [his]
9 staff, contractors, experts, advisors, secretaries, or employees that are in this
10 Office’s possession will presumably be included in that request.”

11 As further explained below, GARCETTI’S OFFICE has not provided an
12 adequate justification for withholding its response to Request No. 7. As a result,
13 any refusals to disclose based on Request No. 7 are also inadequate. Petitioner
14 therefore requests that all records responsive to this request be disclosed, or that
15 Respondent GARCETTI’S OFFICE state that no other such records exist.

16
17 “7. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating
18 and/or pertaining to the ‘Emergency Homeless Shelter’ at any location in Los Angeles,
19 CA, including without limitation to meeting minutes, notes, records, reports, analysis,
20 telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures,
21 drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or
22 received by City Mayor Eric Garcetti or anyone in his offices such as staff[], contractors,
23 experts, advisors, secretaries, or employees at any time on or after 1/1/2017.”

24 **Documents withheld:** GARCETTI’S OFFICE has refused to disclose records in
25 response to Request No. 7, stating: “There are a number of shelters located
26 throughout the City of Los Angeles, and additional shelters outside City
27 boundaries, but within the County of Los Angeles. Moreover, it is this Office’s
28 understanding that the term ‘emergency homeless shelter’ may be applied to a
29

1 number of different housing models.” GARCETTI’S OFFICE also alleged that
2 “an extensive search across several offices within the Office of the Mayor” would
3 be required to find records that are “not reasonably described.” GARCETTI’S
4 OFFICE then made the vague and unsupported claim that Request No. 7 was not
5 a “reasonably focused, specific, and clear request for identifiable records, such
6 that the local agency can decipher what records are being sought,” and suggested
7 that “[f]or example, if you seek records regarding a particular shelter or shelters,
8 our best advice to you is to identify such shelter[s].”

9 CPRA § 6255 requires an agency to “justify withholding any record by
10 demonstrating that the record in question is exempt under express provisions of
11 this chapter or that on the facts of the particular case the public interest served by
12 not disclosing the record clearly outweighs the public interest served by
13 disclosure of the record.” Cal. Gov’t Code § 6255. The denial of a request must be
14 made in writing, and the names and titles or positions of each person responsible
15 for the denial must be given. *See id.*; Cal. Gov’t Code § 6253.

16 GARCETTI’S OFFICE has implied that the scope of the request covers
17 the entire County of Los Angeles. It does not. All that is requested are records
18 related to Emergency Homeless Shelters in the city of Los Angeles, CA.

19 In addition, GARCETTI’S OFFICE has not adequately justified its
20 withholding as required by CPRA § 6255. No CPRA exemptions have been
21 identified. The vague and unsupported denial of Request No. 7 does not
22 demonstrate that the public interested served by denying Petitioner’s request
23 clearly outweighs the public interest served by disclosing the record.
24 GARCETTI’S OFFICE does not state which public interest is served by refusing
25 to respond to this request. It also does not indicate how many offices within the
26 Office of the Mayor would be involved, the anticipated number of records that
27 would be disclosed, or the resources that would be required to respond to this
28 request. What has been stated is not enough to satisfy the requirements § 6255.

1 Consequently, Petitioner requests that all records responsive to Request
2 No. 7 be disclosed, or that Respondent GARCETTI'S OFFICE state that no other
3 such records exist.

4
5 "8. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating
6 and/or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles,
7 CA, including without limitation to meeting minutes, notes, records, reports, analysis,
8 telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures,
9 drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or
10 received by any Los Angeles City Councilmen including Councilman David Ryu or
11 anyone in his or her offices such as staff[], contractors, experts, advisors, secretaries, or
12 employees at any time on or after 1/1/2017."

13 **Documents withheld:** GARCETTI'S OFFICE refused to disclose records in
14 response to Request No. 8, and hinged any future response to Request No. 8 on
15 Request No. 7, stating: "To the extent that this Office is able to work with
16 [Petitioner] to clarify and focus request No. 7, any responsive, non-exempt
17 records reflecting communications with . . . Councilman David Ryu . . . or [his]
18 staff, contractors, experts, advisors, secretaries, or employees that are in this
19 Office's possession will presumably be included in that request."

20 As explained above, GARCETTI'S OFFICE has not provided an adequate
21 justification for withholding its response to Request No. 7. As a result, any
22 refusals to disclose based on Request No. 7 are also inadequate. Petitioner
23 therefore requests that all records responsive to this request be disclosed, or that
24 Respondent GARCETTI'S OFFICE state that no other such records exist.

25
26 "9. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating
27 and/or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles,
28 CA, including without limitation to meeting minutes, notes, records, reports, analysis,

1 telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures,
2 drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or
3 received by the Los Angeles City Council or anyone in its offices such as staff[],
4 contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.”

5 **Documents withheld:** GARCETTI’S OFFICE refused to disclose records in
6 response to Request No. 9, and hinged any future response to Request No. 9 on
7 Request No. 7, stating: “To the extent that this Office is able to work with
8 [Petitioner] to clarify and focus request No. 7, any responsive, non-exempt
9 records reflecting communications with . . . any other Los Angeles City
10 Councilmember(s) . . . or their staff, contractors, experts, advisors, secretaries, or
11 employees that are in this Office’s possession will presumably be included in that
12 request.”

13 As explained above, GARCETTI’S OFFICE has not provided an adequate
14 justification for withholding its response to Request No. 7. As a result, any
15 refusals to disclose based on Request No. 7 are also inadequate. Petitioner
16 therefore requests that all records responsive to this request be disclosed, or that
17 Respondent GARCETTI’S OFFICE state that no other such records exist.

18
19 “10. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating
20 and/or pertaining to the ‘Emergency Homeless Shelter’ at any location in Los Angeles,
21 CA, including without limitation to meeting minutes, notes, records, reports, analysis,
22 telephone logs, statistical data, inquiries, correspondence[], emails, plans, pictures,
23 drawings, internal memo[s], etc., made, reviewed, seen, discussed, considered, sent or
24 received by the Los Angeles City Office and/or any of its staff[], contractors, experts,
25 advisors, secretaries, or employees at any time on or after 1/1/2017.”

26 **Documents withheld:** GARCETTI’S OFFICE has refused to disclose documents
27 responsive to Request No. 10, stating: “The Office of the Mayor does not possess
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1 these documents responsive to request no. 10, as there is no such office as the
2 'Los Angeles City Office.'”

3 As stated above, GARCETTI’S OFFICE has acknowledged that not just
4 one, but many “offices” of the City of Los Angeles exist. If it was not clear which
5 Office of the City of Los Angeles Petitioner was referencing, § 6253.1 required
6 GARCETTI’S OFFICE to assist Petitioner in identifying “information that [is]
7 responsive to the request” or “the purpose of the request,” and to “[p]rovide
8 suggestions for overcoming” the “practical basis” it cited for “denying access to
9 the records or information sought.” Instead, GARCETTI’S OFFICE “feigned
10 confusion” to deny the request and instructed Petitioner to direct her inquiry to
11 another City department. This is not a proper basis for the denial of a public
12 record request.

13 Since GARCETTI’S OFFICE’s response to Request No. 10 does not
14 comply with the requirements of the CPRA, Petitioner requests that all records
15 responsive to this request be disclosed or that Respondent GARCETTI’S OFFICE
16 state that no other such records exist. If the Court finds that Request No. 10 is
17 unclear, Petitioner requests that this Court order Respondents to assist Petitioner
18 in identifying information that is responsive to this request and provide
19 suggestions for overcoming the practical basis, if any, for denying access to the
20 records.

21
22 WHEREFORE, Petitioner prays for judgment against all Respondents as follows:
23

24 AS TO ALL CAUSES OF ACTION AGAINST ALL RESPONDENTS:

- 25 1. For equitable relief in the form of a writ of mandate commanding Respondents CITY OF
26 L.A. and GARCETTI’S OFFICE to comply with the Public Records Act by promptly
27 providing to Petitioner all of the requested Public Records, including without limitation,
28 Public Records that have been withheld by Respondent GARCETTI’S OFFICE as
29

1 indicated in paragraph 22;

2 2. For costs of suit incurred in enforcing Petitioner's rights under the Public Records Act;

3 3. For attorneys' fees incurred in enforcing Petitioner's rights under the Public Records Act;

4 4. For such other and further relief as this court shall deem just and proper.

5
6 Dated: June 20, 2018

Respectfully submitted,

7
8 

9 C. Yong Jeong, Esq.

10 Regina Zernay, Esq.

11 Attorneys for HYE KYUNG JOUNG

VERIFICATION

I, HYE KYUNG JOUNG, declare:

I am the Petitioner in this proceeding. I have read the foregoing Petition, and the matters stated in it are true of my own knowledge, except as to those matters that are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

Executed on June __, 2018


HYE KYUNG JOUNG
Petitioner

EXHIBIT A

06/20/2018

Ex.A

May 9, 2018

Attn: Mayor Eric Garcetti
200 N. Spring St.
Los Angeles, CA 90012
Email: mayor.garcetti@lacity.org

Re: Request for Records Under the Public Records Act

To Whom It May Concern:

I represent Hye Kyung Joung, a resident of the City of Los Angeles and one of your constituents. Pursuant to Cal. Gov't Code §§ 6250 through 6276.48 ("California Public Records Act" or "CPRA"), Ms. Joung hereby makes an official request for any and all records described below:

"ALL" is meant to include the terms "each" and "any" and vice-versa, as necessary to bring within the scope of the request all responses that might otherwise be construed to be outside the scope of the request.

"DOCUMENT(S)" means ALL materials within the full scope of Cal. Civ. Proc. Code § 2031.010, including without limitation to: ALL writings and recordings, including the originals and ALL non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but not limited to email and attachments, correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, invoices, worksheets, and ALL drafts, alterations, modifications, changes, and amendments of any of the foregoing), graphic or aural representations of any kind (including without limitation to photographs, charts, microfiche, microfilm, videotape, recordings, motion

pictures, plans, drawings, surveys), and any writings, drawings, graphs, charts, photographs, electronic, recorded, digitally encoded, graphic, and/or other data compilations from which information can be obtained, translated if necessary, by the RESPONDING PARTY through detection devices into reasonably usable form, or other information, including originals, translations, and drafts thereof, and ALL copies bearing notations and marks not found on the original.

“RESPONDING PARTY” is meant to refer to Eric Garcetti and any persons acting on Eric Garcetti’s behalf, which includes but is not limited to Eric Garcetti’s agents, employees, representatives, and attorneys.

1. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating or pertaining to the “Emergency Homeless Shelter” at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by City Councilman Herb Wesson or anyone in his offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

2. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the “Emergency Homeless Shelter” at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by City Mayor Eric Garcetti or anyone in his offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

3. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the “Emergency Homeless Shelter” at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by any Los Angeles City Councilmen including Councilman David Ryu or anyone

in his or her offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

4. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Council or anyone in its offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

5. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at 682 South Vermont Avenue, Los Angeles, CA 90005, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Office and/or any of its staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

6. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating or pertaining to the "Emergency Homeless Shelter" at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by City Councilman Herb Wesson or anyone in his offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

7. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by City Mayor Eric Garcetti or anyone in his offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

8. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by any Los Angeles City Councilmen including Councilman David Ryu or anyone in his or her offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

9. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Council or anyone in its offices such as staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

10. ALL DOCUMENTS referring to, analyzing, commenting, considering, evaluating and/or pertaining to the "Emergency Homeless Shelter" at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo, etc., made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Office and/or any of its staffs, contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017.

Pursuant to the CPRA, we will expect to receive notification from your office within 10 days from receipt of our request that provides: (1) a determination of whether the request, in whole or in part, seeks copies of disclosable public records in your possession; (2) the reasons for your determination; and (3) the estimated date and time when the records will be made available.

06/20/2018

Should you have any questions or need additional information, please contact my office.

Sincerely,



C. Yong Jeong, Esq.
JEONG & LIKENS, L.C.

CC:

CBS2 News
NBC4 News
KTLA-TV News
ABC7 News
KCAL 9 News
KTTV FOX 11 News
KCOP 13 News
Los Angeles Times
L.A. Weekly
Los Angeles Business Journal
The Korea Times
Los Angeles Daily News
Los Angeles Downtown News
OC Weekly
The Orange County Register
Orange County Business Journal

06/20/2018

EXHIBIT B

06/20/2018

Ex. B



ERIC GARCETTI
MAYOR

May 21, 2018

VIA E-MAIL: (regina.zernay@jeonglikens.com)

C. Yong Jeong, Esq.
Jeong & Likens L.C.
222 S. Oxford Ave.
Los Angeles, CA 90004

Re: California Public Records Act Request

Dear Mr. Yong Jeong,

This letter responds to your May 9, 2018 California Public Records Act ("CPRA") request to the Office of the Mayor of Los Angeles ("Office") seeking certain records for the time period of January 1, 2017 through May 9, 2018.

1. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at 682 South Vermont Avenue Los Angeles, CA 90005... sent or received by City Councilman Herb Wesson or anyone in his offices...", please direct your request to the Office of Council District 10.
2. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at 682 South Vermont Avenue Los Angeles, CA 90005... sent or received by Mayor Eric Garcetti or anyone in his offices...", the Office has determined that your Request, in part, seeks copies of disclosable public records that are in its possession. Pursuant to Government Code Section 6253(c), we are consulting with other relevant parties and will provide documents responsive to your Request by June 29, 2018. You will be notified in writing of any revisions to this estimate.
3. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at 682 South Vermont Avenue Los Angeles, CA 90005... sent or received by any City Councilmember, including Councilman David Ryu or anyone in his or her offices...", please direct your request to the corresponding Council office(s) from which you seek records.

06/20/2018

EXB

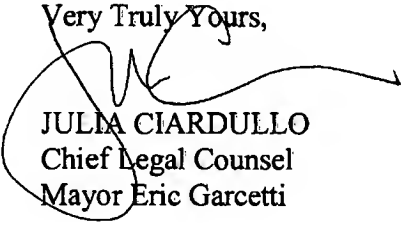
4. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at 682 South Vermont Avenue Los Angeles, CA 90005... sent or received by the Los Angeles City Council or anyone in its offices..." please direct your request to the corresponding Council office(s) from which you seek records.
5. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at 682 South Vermont Avenue Los Angeles, CA 90005... sent or received by the Los Angeles City Office, or anyone in its offices..." please direct your request to the specific department(s), office(s), or person(s) in the City of Los Angeles from which you seek records.
6. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA... sent or received by City Councilman Herb Wesson or anyone in his offices..." please direct your request to the Office of Council District 10.
7. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA... sent or received by Mayor Eric Garcetti or anyone in his offices..." your request is overly broad and calls for the unfocused collection of records. Further, the expenditure of public resources to search for and review records in response to your request would be significant. The Office therefore denies this aspect of your request at this time, pursuant to Government Code Section 6255. However, to the extent you are interested in particular emergency homeless shelter(s) with which the Office has been involved, please consider providing additional clarifying information in order to make a more focused and effective request that reasonably identifies records that are responsive to the purpose of your request. Please let us know if we may assist you in doing so.
8. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA... sent or received by any Los Angeles City Councilmember, including Councilman David Ryu, or anyone in his or her offices..." please direct your request to the corresponding Council office(s) from which you seek records.
9. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA... sent or received by the Los Angeles City Council, or anyone in its offices..." please direct your request to the corresponding Council office(s) from which you seek records.
10. In regard to your request for "[a]ll documents referring to, analyzing, commenting, considering, evaluating or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA... sent or received by the Los Angeles City Office, or anyone in its offices..." please direct your request to the specific department(s), office(s) or person(s) in the City of Los Angeles from which you seek records.

Please be advised that this Office will decline to produce any records that fall into any of the following, well-established exemptions to the CPRA: (i) records that are subject to attorney-client privilege and/or attorney work product doctrine; (ii) records whose disclosure would constitute an unwanted invasion of personal privacy, and may be withheld under Government Code §§6254(c), 6254.3, and/or 6254.20; (iii) records that constitute "personnel...or similar files," and may be

06/20/2018

withheld pursuant to Government Code §6254(c); (iv) records pertaining to pending litigation in which the City of Los Angeles is a party; (v) records that are pre-decisional and advisory in nature and may be withheld pursuant to the deliberative process privilege pursuant to Government Code §6255; and (vi) records for which the public interest served by withholding the records clearly outweighs the public interest served by disclosure, and may be withheld pursuant to Government Code §6255.

Very Truly Yours,



JULIA CIARDULLO
Chief Legal Counsel
Mayor Eric Garcetti

06/20/2016

EXHIBIT C

06/20/2018

Ex.C

June 14, 2018

Attn: Mayor Eric Garcetti
c/o Julia Ciardullo, Chief Legal Counsel
200 N. Spring St.
Los Angeles, CA 90012
Email: mayor.garcetti@lacity.org; david.e.harrison@lacity.org

Re: Reply to Letter from Mayor Garcetti's Office Regarding Request for
Records

Dear Ms. Ciardullo:

I have received your letter dated May 21, 2018 in response to my office's request for public records, sent May 9, 2018. My replies are below.

Responses to Request Nos. 1, 3—6, and 8—10

In your responses to Request Nos. 1, 3—6, and 8—10, you did not: (1) produce documents that are responsive to the requests; (2) indicate that your office is not in possession of documents that are responsive to these requests; or (3) deny the requests. Instead, your letter directed my office to contact other City agencies.

This does not comply with the requirements of the California Public Records Act ("CPRA").

Section 6253(b) of the CPRA states: "Except with respect to public records exempt from disclosure by express provisions of law, **each state or local agency**, upon a request for a copy of records that reasonably describes an identifiable record or records, **shall make the records promptly available to any person** upon payment of fees covering direct costs of duplication, or a statutory fee if applicable." Cal. Gov't Code § 6253 (emphasis added).

CPRA § 6253(c) further states: "**Each agency**, upon a request for a copy of records, **shall**, within 10 days from receipt of the request, **determine whether the request**, in whole or in part, **seeks copies of disclosable public records in**

the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor.” *Id.* (emphasis added).

If the Mayor’s Office is denying any part of the request, § 6255 of the CPRA requires that your office “**justify withholding any record** by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” Cal. Gov’t Code § 6255 (emphasis added). This denial must be made in writing, and the names and titles or positions of each person responsible for the denial must be given. *See id.*; Cal. Gov’t Code § 6253.

In addition, CPRA § 6253.9 provides: “Unless otherwise prohibited by law, **any agency** that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this chapter that is in an electronic format **shall make that information available in an electronic format** when requested by any person and, when applicable, shall comply with the following: (1) The agency **shall make the information available in any electronic format in which it holds the information.** (2) Each agency shall provide a copy of an electronic record in the format requested **if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies.**” Cal. Gov’t Code. § 6253.9 (emphasis added).

Thus, under the requirements of the CPRA, your office was required to either: (1) make the records, whether in electronic or hard copy form, promptly available to my office; or (2) if the records were not available, or any part of the request was denied, promptly notify my office of this determination, provide the reasons for the determination, and state the names and titles/positions of those who were responsible for the denial, if any.

Whether other city agencies may also have the documents requested does not relieve the Mayor’s office of its responsibility to comply with a request for records under the CPRA.

Therefore, if you have documents that are responsive to Request Nos. 1, 3—6, and 8—10, please promptly make those records available to my office. If you do not, or your office is denying the request for public records, please promptly notify my office of your determination and provide the reasons for this

determination, as well as the names and titles/positions of those responsible for any denials.

Response to Request No. 7

In your response to Request No. 7, you state the request is “overly broad and calls for the unfocused collection of records.” You also claim that “the expenditure of public resources to search for and review records in response to your request would be significant.” As a result, your office “denie[d] this aspect” of our CPRA request.

You also suggested that we consider “providing additional clarifying information in order to make a more focused and effective request that reasonably identifies records that are responsive to the purpose of your request.”

It is unclear which portions of the request are “overly broad” and call for “the unfocused collection of records.” It is also unclear what “additional clarifying information” you are seeking. Your reasons for denying our request are vague and unsubstantiated. This does not satisfy § 6255’s requirement that you justify the Mayor’s Office’s withholding by either “demonstrating that the record in question is exempt under express provisions” of the CPRA, or showing that “on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” Cal. Gov’t Code § 6255.

We therefore request that you adequately justify your withholding of a response to Request No. 7 in accordance with § 6255, including details about the expenditures of public resources you believe are necessary to produce the documents requested, and identifying the number of pages you believe would be produced in response to the request. Further, if you have suggestions for reasonably adjusting the scope of this request, please send those suggestions to our office. If you are unable to do so, please promptly disclose records responsive to Request No. 7.

In summary, we ask for the following:

1. Documents that are responsive to Request Nos. 1, 3—6, and 8—10 must arrive at our office by **5:00 p.m. on Thursday, June 21, 2018**. Emailed

documents are acceptable. If you do not have documents responsive to Request Nos. 1, 3—6, and 8—10, or your office is denying these requests, notify my office of your determination and provide the reasons for this determination, as well as the names and titles/positions of those responsible for any denials, in writing, by **5:00 p.m. on Thursday, June 21, 2018.**

2. Written justification for withholding your response to Request No. 7, in accordance with § 6255, as well as any suggestions you may have for reasonably adjusting the scope of this request, must arrive at our office by **3:00 p.m. on Monday, June 18, 2018.** If you are unable to do so, documents that are responsive to Request No. 7 must arrive at my office by **5:00 p.m. on Thursday, June 21, 2018.** Responses sent by email are acceptable.

Otherwise, we will pursue any and all remedies available under the law.

Should you have any questions or need additional information, please contact my office.

Sincerely,

/s/ C. Yong Jeong
C. Yong Jeong, Esq.
JEONG & LIKENS, L.C.

06/20/2018

EXHIBIT D

06/20/2018

Ex.D



ERIC GARCETTI
MAYOR

June 18, 2018

VIA EMAIL ONLY (jeong@jeonglikens.com)

C. Yong Jeong
JEONG & LIKENS, L.C.
222 South Oxford Avenue
Los Angeles, California 90004

Re: California Public Records Act Request

Dear Mr. Jeong,

This letter responds to your June 14, 2018 letter to the Office of Los Angeles Mayor Eric Garcetti (the "Office of the Mayor" or "this Office"), in which you set forth several purported deficiencies with our May 21, 2018 determination letter responding to your May 9, 2018 California Public Records Act ("CPRA") request for records relating to "the 'Emergency Homeless Shelter' at 682 South Vermont Avenue, Los Angeles, CA 90005" and "the 'Emergency Homeless Shelter' at any location in Los Angeles" for the time period January 1, 2017 through May 9, 2018 ("Request"). I will address your comments regarding your numbered requests in turn.

Requests Nos. 1, 3, 4, and 5
(Regarding the Emergency Homeless Shelter at 682 South Vermont Avenue)

You submitted your Request to the Office of the Mayor of Los Angeles. Yet requests nos. 1, 3, 4 and 5 seek records which, if they exist, are in the possession of (1) offices other than the Office of the Mayor or (2) offices that do not exist.

Specifically, request no. 1 seeks documents "made, reviewed, seen, discussed, considered, sent or received by City Councilman Herb Wesson or anyone in his office such as staffs [sic], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017." Similarly, request no. 3 seeks records "made, reviewed, seen,

06/20/2018

Ex D

discussed, considered, sent or received by any Los Angeles City Councilmen [sic] including David Ryu or anyone in his or her offices such as staffs [sic], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017." Furthermore, request no. 4 seeks records "made, reviewed, seen, discussed, considered, sent or received by the Los Angeles City Council or anyone in its offices such as staffs [sic], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017."

The Office of the Mayor is distinct from the City Council offices. To the extent the Office of the Mayor has in its possession any responsive, non-exempt records reflecting communications with Councilman Herb Wesson, Councilman David Ryu, any other Los Angeles City Councilmember(s), or their staff, contractors, experts, advisors, secretaries, or employees regarding the proposed shelter at 682 S. Vermont Ave., Los Angeles, CA 90005, we will provide such records to you pursuant to request no. 2, which seeks such records from this Office. In our May 21, 2018 determination letter, we advised you that we are in possession of records responsive to request no. 2, and we estimated that we would make any responsive, non-exempt records available to you **by June 29, 2018**. If we do redact or withhold any records, we will so advise you in compliance with the CPRA. However, if you seek additional records "made, reviewed, seen, discussed, considered, sent or received by" Councilman Herb Wesson's office, Councilman David Ryu's office, or any other Los Angeles City Council office(s), or their staff, contractors, experts, advisors, secretaries, or employees, our best advice to you is to seek those records from those offices, or the specific City Council office(s) you have in mind.

Request no. 5 seeks records from "the Los Angeles City Office and/or any of its staffs [sic], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017." The Office of the Mayor does not possess these documents, as there is no such office as the "Los Angeles City Office." We recommend that you direct your inquiry to a specific department, office, or agency of the City of Los Angeles.

Request No. 7

Request no. 7 seeks all documents "referring to, analyzing, commenting, considering, evaluating and/or pertaining to the 'Emergency Homeless Shelter' at any location in Los Angeles, CA, including without limitation to meeting minutes, notes, records, reports, analysis, telephone logs, statistical data, inquiries, correspondences, emails, plans, pictures, drawings, internal memo [sic], etc., made, reviewed, seen, discussed, considered, sent or received by City Mayor Eric Garcetti or anyone in his offices such as staffs [sic], contractors, experts, advisors, secretaries, or employees at any time on or after 1/1/2017."

Homelessness, as I am sure you recognize, is a serious and widespread problem in the City of Los Angeles. There are a number of shelters located throughout the City of Los Angeles, and additional shelters outside City boundaries, but within the County of

06/20/2018

Los Angeles. Moreover, it is this Office's understanding that the term "emergency homeless shelter" may be applied to a number of different housing models.

For this Office to attempt to produce records in response to request no. 7, as currently crafted, it would entail an extensive search across several offices within the Office of the Mayor for records that are not reasonably described. While the CPRA does not require that an unknowledgeable requester precisely identify the records that he or she seeks, it does obligate persons seeking records to make a reasonably focused, specific, and clear request for identifiable records, such that the local agency can decipher what records are being sought. As we indicated in our May 21, 2018 determination letter, we remain willing to work with you in good faith to clarify and focus your request, so that we may locate, and you may receive, responsive, non-exempt records. For example, if you seek records regarding a particular shelter or shelters, our best advice to you is to identify such shelter(s). Please do not hesitate to reach out to me at Carlos.Singer@lacity.org or (213) 978-0600 if you would like to discuss how we can be helpful in clarifying your request so that you can obtain the records you seek.

**Requests No. 6, 8, 9 and 10
(Regarding all Emergency Homeless Shelters in Los Angeles)**

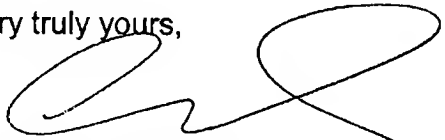
Similar to requests nos. 1, 3, 4 and 5, requests nos. 6, 8, 9 and 10 seek records from (1) offices other than the Office of the Mayor or (2) offices that do not exist. To the extent that this Office is able to work with you to clarify and focus request no. 7, any responsive, non-exempt records reflecting communications with Councilman Herb Wesson, Councilman David Ryu, any other Los Angeles City Councilmember(s), or their staff, contractors, experts, advisors, secretaries, or employees that are in this Office's possession will presumably be included in that request. The Office of the Mayor does not possess documents responsive to request no. 10, as there is no such office as the "Los Angeles City Office."

We note your attempt to dictate the terms of this Office's response to your Request and your threat of legal action should we decline to comport to such terms. In compliance with the CPRA, we have issued you a determination letter within 10 days of the Request, along with a reasonable estimate as to when we expect to provide you with responsive, non-exempt records: **June 29, 2018**. Based on the facts before us today, any litigation would be legally and factually frivolous. Should you or your client decide to file suit, that is your prerogative; be advised, however, that this Office would seek all appropriate sanctions, including those available under California Code of Civil Procedure § 128.7 for any litigation that is frivolous or otherwise advanced for an improper purpose, and reasonable attorney fees and court costs, including those available under Government Code § 6259(d).

06/29/2018

I am confident that we will be able to process your Request under the CPRA without further dispute.

Very truly yours,

A handwritten signature in black ink, appearing to be 'CS', written over a large, stylized, handwritten letter 'S'.

CARLOS A. SINGER
Deputy Chief Legal Counsel
Office of Los Angeles Mayor Eric Garcetti

06/20/2018

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Chan Yong Jeong, Esq. (SBN 255244); Regina Zernay, Esq. (SBN 318228) JEONG & LIKENS, L.C. 222 South Oxford Avenue Los Angeles, CA 90004 TELEPHONE NO: 213-688-2001 FAX NO: 213-315-5035 ATTORNEY FOR (Name): Petitioner, HYE KYUNG JOUNG		FOR COURT USE ONLY <div style="text-align: center; font-weight: bold; font-size: 1.2em;">FILED</div> Superior Court of California County of Los Angeles <div style="text-align: center; font-weight: bold; font-size: 1.2em;">JUN 20 2018</div> Sherri R. Carter, Executive Officer, Clerk of Court By <u>Judi Lara</u> , Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District, Stanley Mosk Courthouse			
CASE NAME: Joung v. City of Los Angeles et al.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: <div style="font-size: 1.5em; font-weight: bold;">BS174105</div>	
		JUDGE: CEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 20, 2018
 Chan Yong Jeong

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
Auto (22)–Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>)	Breach of Rental/Lease	Construction Defect (10)
	Contract (<i>not unlawful detainer or wrongful eviction</i>)	Claims Involving Mass Tort (40)
	Contract/Warranty Breach–Seller	Securities Litigation (28)
	Plaintiff (<i>not fraud or negligence</i>)	Environmental/Toxic Tort (30)
	Negligent Breach of Contract/Warranty	Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other Breach of Contract/Warranty	Enforcement of Judgment
Asbestos (04)	Collections (e.g., money owed, open book accounts) (09)	Enforcement of Judgment (20)
Asbestos Property Damage	Collection Case–Seller Plaintiff	Abstract of Judgment (Out of County)
Asbestos Personal Injury/Wrongful Death	Other Promissory Note/Collections Case	Confession of Judgment (<i>non-domestic relations</i>)
Product Liability (<i>not asbestos or toxic/environmental</i>) (24)	Insurance Coverage (<i>not provisionally complex</i>) (18)	Sister State Judgment
Medical Malpractice (45)	Auto Subrogation	Administrative Agency Award (<i>not unpaid taxes</i>)
Medical Malpractice–Physicians & Surgeons	Other Coverage	Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Professional Health Care Malpractice	Other Contract (37)	Other Enforcement of Judgment Case
Other PI/PD/WD (23)	Contractual Fraud	
Premises Liability (e.g., slip and fall)	Other Contract Dispute	Miscellaneous Civil Complaint
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Real Property	RICO (27)
Intentional Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	Other Complaint (<i>not specified above</i>) (42)
Negligent Infliction of Emotional Distress	Wrongful Eviction (33)	Declaratory Relief Only
Other PI/PD/WD	Other Real Property (e.g., quiet title) (26)	Injunctive Relief Only (<i>non-harassment</i>)
Non-PI/PD/WD (Other) Tort	Writ of Possession of Real Property	Mechanics Lien
Business Tort/Unfair Business Practice (07)	Mortgage Foreclosure	Other Commercial Complaint Case (<i>non-tort/non-complex</i>)
Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08)	Quiet Title	Other Civil Complaint (<i>non-tort/non-complex</i>)
Defamation (e.g., slander, libel) (13)	Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>)	Miscellaneous Civil Petition
Fraud (16)	Unlawful Detainer	Partnership and Corporate Governance (21)
Intellectual Property (19)	Commercial (31)	Other Petition (<i>not specified above</i>) (43)
Professional Negligence (25)	Residential (32)	Civil Harassment
Legal Malpractice	Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>)	Workplace Violence
Other Professional Malpractice (<i>not medical or legal</i>)	Judicial Review	Elder/Dependent Adult Abuse
Other Non-PI/PD/WD Tort (35)	Asset Forfeiture (05)	Election Contest
Employment	Petition Re: Arbitration Award (11)	Petition for Name Change
Wrongful Termination (36)	Writ of Mandate (02)	Petition for Relief From Late Claim
Other Employment (15)	Writ–Administrative Mandamus	Other Civil Petition
	Writ–Mandamus on Limited Court Case Matter	
	Writ–Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal–Labor Commissioner Appeals	

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BS174105

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).

Auto
Tort

Other Personal Injury/Property
Damage/ Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	1, 11
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11
	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1, 4, 11
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11

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Non-Personal Injury/Property
Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

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	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

SHORT TITLE: Joung v. City of Los Angeles et al.	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 200 N. Spring Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central Judicial District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: June 20, 2018


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

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